

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the **PATENT APPLICATION** of:

Eckhardt Jr. et al.

Our File: MOR3-PT013.1

Application No.: 10/786,397

Confirmation No.: 2888

Filed: February 24, 2004

For: GOLF BALL TEEING DEVICE

Group: 3711

Examiner: Noland, Kenneth W.

DECLARATION OF FRANZ CHARLES ECKHARDT, JR.

I, Franz Charles Eckhardt, Jr. hereby declare and state as follows:

1. I am one of the three listed inventors of the subject matter of U.S. Application No. 10/786,397.

2. Mr. Franz Charles Eckhardt, Sr., and Mr. Lawrence Adrian Roche are two of the five listed inventors on U.S. Application No. 10/312,072, the application from which this application claims priority.

3. Mr. Eckhardt, Sr. was my father, and is now deceased.

4. I have an enduring Power of Attorney to act on my father's behalf. See Exhibit A.

5. My father and I initially conceived the basic concept of a golf ball tee up device. However subsequent to the initial conception of the invention I entered into

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arrangements with the other three inventors of US Application 10/312,072 to develop the invention further.

6. Owing to my father's ill health and subsequent death, I had overall carriage and responsibility for the funding and direction of development of the invention. In this capacity and in my capacity as a co-inventor I had full knowledge of the development of the invention including the contributions made by each of the nominated inventors.

7. The original invention was characterized by two basic combinations, namely the machine for teeing up golf balls and the feeder tray for feeding balls to the teeing up machine.

8. From my close association with the development of all aspects of the invention, I am aware that only the three inventors nominated in relation to Application No. 10/786,397 made any inventive contributions in relation to the design of the tray for feeding balls, the subject of the claims of the said application.

9. Mr. Eckhardt, Sr., did not invent the subject matter claimed in U.S. Appln. No. 10/786,397.

10. Mr. Roche did not invent the subject matter claimed in U.S. Application No. 10/786,397.

11. All statements made herein of my own knowledge are true and that all statements made on information and belief are believed to true; and further, that these

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statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the present application or any patent issuing thereon.

24-6-05
Date

Franz Charles Eckhardt, Jr.
Franz Charles Eckhardt, Jr.